EXHIBIT F

FILED

JUL 1 4 2004

Judge Suzanne B. Conlon
United States District Court

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
(EASTERN DIVISION)

Pinpoint Incorporated,	) Civil Action No. 03C 4954
Plaintiff,	)
	)
v.	) Judge Suzanne B. Conlon
	) Magistrate Judge Nan R. Nolan
Amazon.com, Inc., et al.	)
	)
Defendants.	)

DOCKETED

JUL 1 5 2004

DEFENDANTS' LOCAL RULE 56.1 STATEMENT
SUPPORTING ITS MOTION FOR SUMMARY JUDGMENT
ON NON-INFRINGEMENT AND INVALIDITY OF THE PATENTS-IN-SUIT

Of counsel:
Lynn H. Pasahow
J. David Hadden
Darren E. Donnelly
Lynne A. Maher
Jedediah Phillips
FENWICK & WEST LLP
Silicon Valley Center
801 California Street
Mountain View, California 94041
Telephone: (650) 988-8500

Dated: July 14, 2004

Todd C. Jacobs
Laura K. McNally
GRIPPO & ELDEN LLC
227 West Monroe St, Ste. 3600
Chicago, Illinois 60606
(312) 704-7700

*Attorneys for Defendants and
Counterclaimants*

125

2.   *Email Campaigns*

85.   Amazon.com operates an email merchandising system that sends merchandising emails to customers that advertise products. *Id.* at ¶ 14.

86.   One type of email campaign is the Single New Product ("SNP") campaign, which delivers email messages to customers that may be interested announcing the new release of a product, i.e. a book, CD or movie, prior to the product's release. *Id.* at ¶ 15. Email campaigns run for a certain predetermined timeframe. *Id.* at ¶ 19. Amazon.com develops a target group of customers to include in the SNP campaign, and transmits emails to customers chosen randomly from the target group at random times within the campaign period. *Id.* at ¶ 16-17.

3.   *QuickPicks Algorithm*

87.   Amazon.com constantly updates several features on its website, i.e. webpage graphics, information about new offers and presentation of products, using its QuickPicks algorithm. *Id.* at ¶¶ 21, 22.

88.   When a user accesses an Amazon.com webpage that includes a feature based on the QuickPicks algorithm, a program called "QuickPicksSourceCollector.cpp" is executed. *Id.* at ¶ 23. This program searches the Amazon.com database to collect thirty-two items that the user has looked at or purchased in the past. *Id.* The program then randomly selects four items from that list and runs its "customers-who-bought-also-bought" process to find similar items. *Id.* at ¶¶ 23, 24.
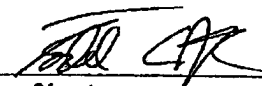
4.   *Browse Node Data*

89.   Amazon.com organizes its website in a tree-like hierarchical structure that enables customers to browse the website based on the assignment of items to various merchandising classifications, referred to as "browse nodes". *Id.* at ¶ 26.

14

90.   Products available on the website are assigned to one or more browse

nodes, with no partial, fractional, or degree of assignment. *Id.* at ¶ 27.

Dated: July 14, 2004   Respectfully submitted,

                                            By: _____
                                                   One of its Attorneys

Todd C. Jacobs
Laura K. McNally
GRIPPO & ELDEN LLC
227 West Monroe Street, Suite 3600
Chicago, Illinois 60606
Telephone: (312) 704-7700
Facsimile: (312) 558-1195

Of counsel:
Lynn H. Pasahow
J. David Hadden
Darren E. Donnelly
Lynne A. Maher
Jedediah Phillips
FENWICK & WEST LLP
Silicon Valley Center
801 California Street
Mountain View, California 94041
Telephone: (650) 988-8500
Facsimile: (650) 938-5200

Attorneys For Defendants and Counterclaimants

15

52032v1

CERTIFICATE OF SERVICE

I hereby certify that on the 22nd day of February, 2006, the attached **MOTION OF**

PLAINTIFF CD INTELLECTUAL PROPERTY HOLDINGS, LLC TO COMPEL

DEFENDANT AMAZON.COM, INC. TO PRODUCE DOCUMENTS AND ANSWER

INTERROGATORIES was served upon the below-named counsel of record at the address and

in the manner indicated:

John W. Shaw, Esquire   HAND DELIVERY
Young Conaway Stargatt & Taylor
The Brandywine Building
1000 West Street, 17th Floor
Wilmington, DE 19801

Lynn H. Pasahow, Esquire   VIA FEDERAL EXPRESS
Fenwick & West, LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041

/s/ *John G. Day*
_____
John G. Day